IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.530 OF 2006
WITH
CIVIL APPLICATION NO.677 OF 2006

Gold Coin Builders. ..Appellants.

V/s.

Sanjay Chandrakant Sharangdhar & Ors. ..Respondents.

Mr.Abhay Abhyankar & Sanjay Jain i/b. M/s.L.D.Shah & Co. for appellants.

Mr.Ravi Kadam, Sr.Counsel with Pankaj Sawant i/b. Krishna Tanna for Respondent Nos. 1 to 8.

Mr.Y.S.Jahagirdar, Sr.Counsel with Birendra Saraf i/b Yogesh Adhia for respondent No.10.

CORAM: A.M.KHANWILKAR,J

DATE : AUGUST 11, 2006.

P.C. :

1. Having heard counsel for the parties at length and perused the relevant documents on record, as I indicated my mind, counsel for the appellants on instructions states that the appellants be permitted to withdraw this appeal from order with liberty to pursue appropriate remedy of amendment of the present plaint or to institute the substantive proceedings as may be advised. Accordingly, this appeal from order is dismissed as withdrawn.

2. It is made clear that it will be open to the

appellants to take recourse to such proceeding, as may be advised, which proceeding will have to be considered on its own merits in accordance with the law.

3. Civil application disposed of accordingly.